

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA D. SMITH,

Defendant.

8:17CR247

ORDER

The Court has been advised that the defendant requests permission to hold his Initial Appearance on the Information and to enter a plea of guilty on October 10, 2017. The Court is further advised that the defendant will consent to Magistrate Judge Michael D. Nelson conducting the combined hearings on the plea of guilty.

IT IS ORDERED that:

1. A hearing on the defendant's Initial Appearance and anticipated plea of guilty is scheduled before Magistrate Judge Michael D. Nelson on **Tuesday, October 10, 2017** at the hour of **10:30 a.m.** in Courtroom No. 1, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

2. At least two (2) working days in advance of the plea proceeding above, counsel for plaintiff and for defendant shall provide to the undersigned magistrate judge a copy of the following: a) a copy of the Petition to Enter A Guilty Plea; b) a copy of any plea agreement; and c) a copy of any charging document not yet on file. **Failure to meet this deadline will cause the plea proceeding to be cancelled.**

2. On or before the date for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.

3. For this defendant, the time between **today's date** and the hearing on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. § 3161(h)(1)(G) & (h)(7)(A).

4. If the defendant is not proficient in the English language, then the defense counsel must arrange for the person who translated the petition and plea agreement to be present for entry of the plea **OR** shall present a completed "DECLARATION OF INTERPRETER (TRANSLATOR)" form available from the courtroom deputy clerk.

5. Counsel shall have their calendars available at the change of plea hearing in order to schedule the sentencing hearing.

Dated this 31st day of August, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge